

## Article II—Executive Department

Article 2 presents the powers and duties of the President who is the Chief Executive. He is the man most responsible for enforcing the laws made by Congress. As you go through Article 2, you will see reasons for the framers of the Constitution outlining the powers and rules of the presidency as they did. You will also see why some of the things they did did not work and had to be later changed by amending the Constitution.

### President Defined

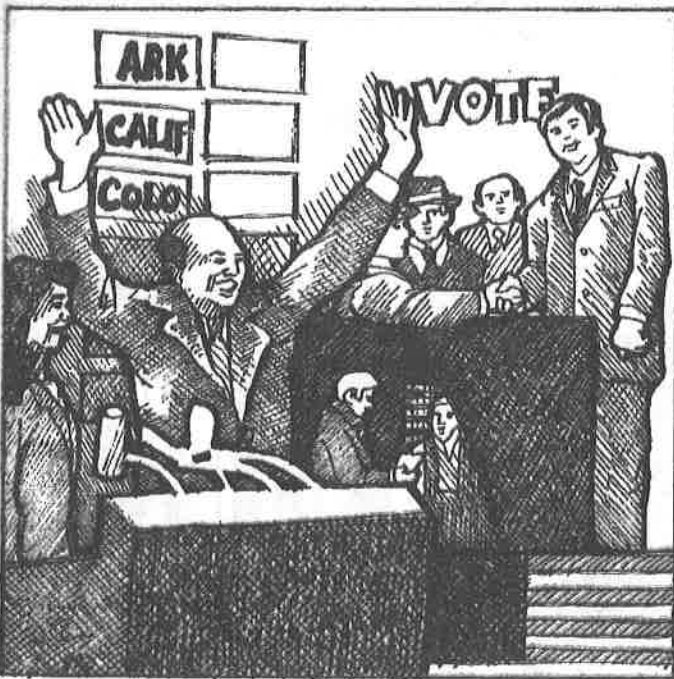
The executive power (the power to execute the laws) shall be held by the President of the United States. The President shall serve a four-year term of office. There will also be a Vice-President elected at the same time for the same term of office.

### Electors Elect the President

The President is elected by *electors*. These electors in each state are chosen in the manner prescribed by the state legislatures. Each state is entitled to a number of electors equal to its number of senators and representatives in Congress. But representatives and senators are not allowed to be electors themselves. It is these electors who actually choose the President. *Many people could not read and write at the time the Constitution was written. They were also poorly informed on matters of the day because there was no media to speak of. Thus the framers of the Constitution felt that the election of the President could best be placed in the hands of a few who were educated and did know the candidates and what each represented. It didn't take long, however, for the various state legislatures to allow the people to choose their electors and eventually it became as it is today. The electors collectively are called the Electoral College, and they still actually elect the President. But the people in each state vote on who will become their electors, depending on who they want to be their President. Thus in reality it is the people who are electing the President.*

*Article 2, Section 1, clause 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows:*

*Article 2, Section 1, clause 2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.*

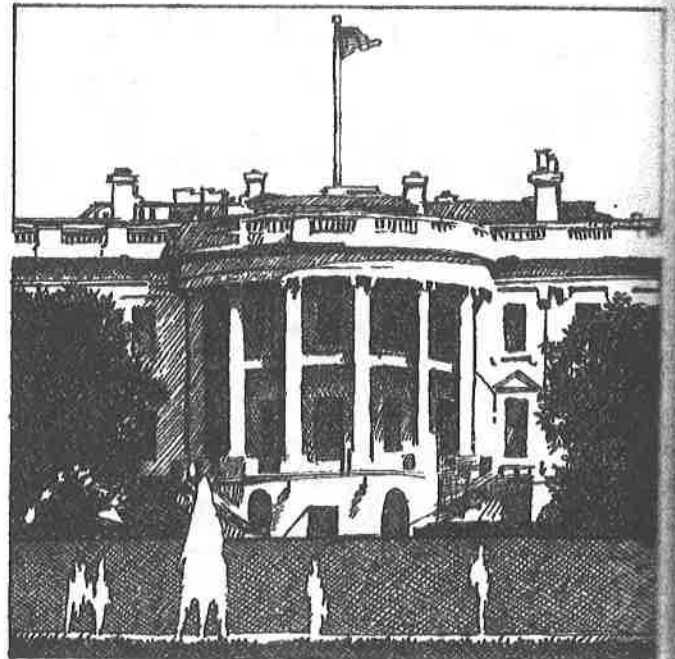




## Method of Election

*Article 2, Section 1, clause 3.* The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote, a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.

This paragraph tells how the President was originally elected. Bear in mind that this method was changed by the 12th Amendment. The electors met in their states and voted for two men, one of which had to live in another state. A list was then compiled of all those receiving votes and the number of votes each received. The lists were opened before a joint session of Congress. The man having the greatest number of votes became President. If he failed to achieve a majority of all the electors cast, then the President was chosen from the five who had the most votes by the House of Representatives. If there was a tie, the House of Representatives also elected the President. In such elections, each state shall have one vote and two-thirds of the states must be present. After the choice for the President was made, the electors chose the Vice-President. He was the man who came in second in the election for the presidency. If there was a tie for Vice-President, the Senate would elect the Vice-President.

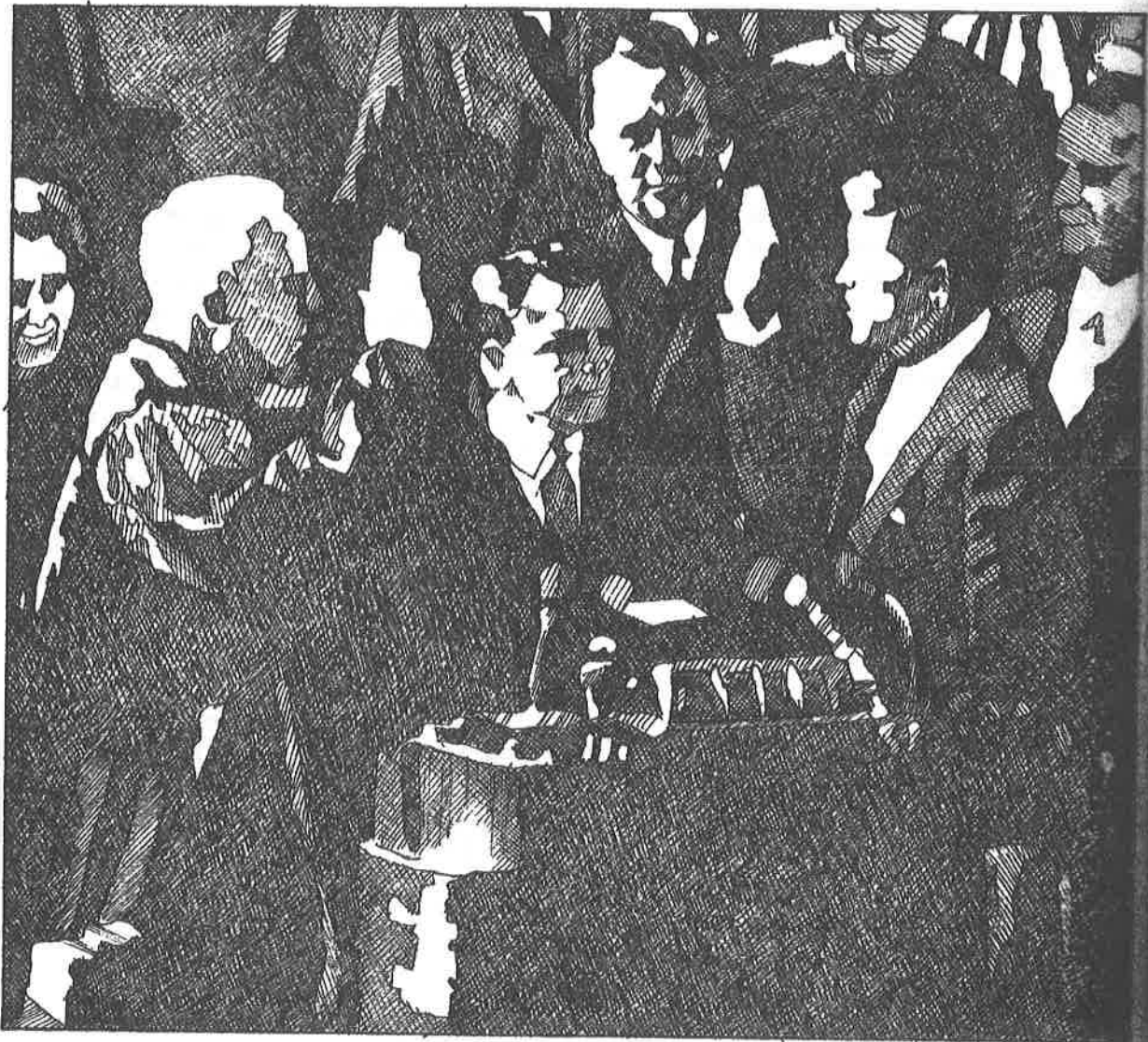




## The Oath of Office

*Article 2, Section 1, clause 8.* Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

Before becoming President, the man elected to the position must take the following oath of office: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States and will to the best of my ability preserve, protect and defend the Constitution of the United States." *This condition of office (accepting this oath) is usually administered by the Chief Justice of the Supreme Court at the President's inauguration, which usually occurs on January 20.*



## ★ A MAN OF MANY HATS ★



It has often been said that the President of the United States has the "toughest job in the world." He must make decisions and take action every day on a wide variety of issues. The job itself involves successfully filling at least seven different roles in addition to those he performs as head of his own family. Briefly summarized below are the seven hats he wears.

**Head of State:** He is the living symbol of this nation, and he must provide an inspiring example for the American people.

**Chief Executive:** He is responsible for enforcing the laws of the United States as well as being in charge of bossing the thousands of government workers within the Executive Department.

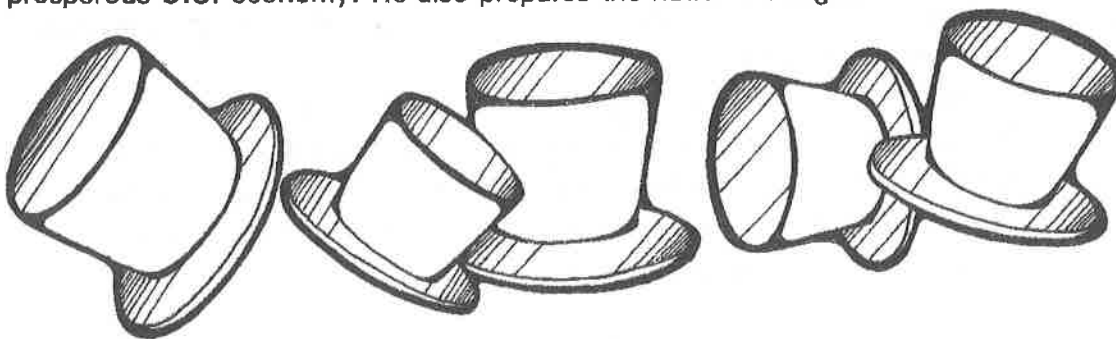
**Chief Foreign Policy Maker:** With the help of his advisors, he establishes foreign policy and decides how America will react to certain foreign issues.

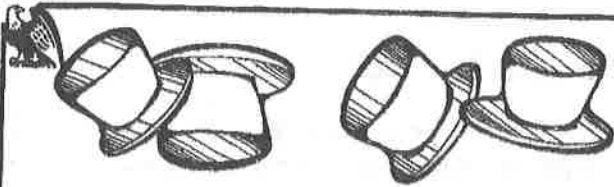
**Commander in Chief:** He is in charge of the Army, the Navy, the Air Force and the Marines.

**Chief Legislator:** Although Congress makes the laws, the President has a great deal of influence in deciding which legislation will be passed.

**Chief of Party:** He is also the leader of his party. Thus he must constantly be campaigning for others in his party who are seeking election.

**Watchdog of the Economy:** His role here is to do his best to fight inflation and to create a prosperous U.S. economy. He also prepares the nation's budget.





Name \_\_\_\_\_

Match the action being taken by the President (by letter) with the role he is performing in each of the following. There may be some examples of his wearing more than one hat at the same time.

- A. CHIEF EXECUTIVE
- B. COMMANDER IN CHIEF
- C. CHIEF OF PARTY
- D. WATCHDOG OF THE ECONOMY
- E. CHIEF FOREIGN POLICY MAKER
- F. HEAD OF STATE
- G. CHIEF LEGISLATOR

1. \_\_\_\_\_ Making a patriotic speech on Memorial Day
2. \_\_\_\_\_ Hosting a cabinet meeting to discuss foreign policy
3. \_\_\_\_\_ Signing a bill sent to him by Congress
4. \_\_\_\_\_ Sending in the National Guard to help flood victims in Florida
5. \_\_\_\_\_ Traveling to Iowa to make a speech at a benefit dinner for a party nominee to Congress
6. \_\_\_\_\_ Meeting with labor leaders to discuss a strike by auto workers
7. \_\_\_\_\_ Hosting a party in honor of a diplomat from The People's Republic
8. \_\_\_\_\_ Greeting visitors who come to the White House
9. \_\_\_\_\_ Hosting a brunch in the White House for the leaders of the Ways and Means Committee
10. \_\_\_\_\_ Awarding commissions to those who have recently graduated from West Point
11. \_\_\_\_\_ Choosing a member of his party to serve in the capacity of Secretary of Education
12. \_\_\_\_\_ Delivering his annual State of the Union message before the Congress
13. \_\_\_\_\_ Nominating someone to fill a vacancy created in a federal judgeship
14. \_\_\_\_\_ Officially receiving the Prime Minister of England
15. \_\_\_\_\_ Meeting with his cabinet on a regular basis
16. \_\_\_\_\_ Making a big pitch before the American people to help him fight a tax hike proposed by Congress
17. \_\_\_\_\_ Telling Congress he wants a mandatory seat belt law nationwide
18. \_\_\_\_\_ Releasing 9,000 government workers he feels are no longer necessary
19. \_\_\_\_\_ Meeting with Arab oil leaders to help establish a more stable price for oil
20. \_\_\_\_\_ Commuting to life imprisonment the death sentence of a terrorist who set off a bomb in a Denver airport terminal

